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ABSTRACT

State-tribal relationships, response to the Sunset Review Audit process, and legislative proposals to strengthen Commission programs are the major issues addressed in the Arizona Commission of Indian Affairs 1985 report. Proposed solutions to state-tribal relationship issues include development of a statewide Indian policy statement consonant with federal policies and tribal goals, tribal involvement in state government planning of policies which affect Indian tribes, and seminars for state officials on aspects of federal Indian law and tribal culture and history. The report summarizes 18 projects completed during the year including hosting ceremonies; communicating with government leaders about Indian concerns such as Indian inmates, veterans' benefits, and Johnson O'Malley funding; publishing directories of tribal leaders, and establishing information exchange networks with other Indian Commissions and with state legislators. The report lists Commission publications for the year and the annual financial report details allocation of $136,600. A draft of proposed legislation to strengthen Commission programs and Commission resolutions dealing with Indian inmates, imitation Indian arts and crafts, and coverage of Indian history and culture in public school curriculum comprise the appendix. A Commission membership roster, map of Indian reservations in Arizona, and population/acreage figures of Arizona reservations are included. (LFL)

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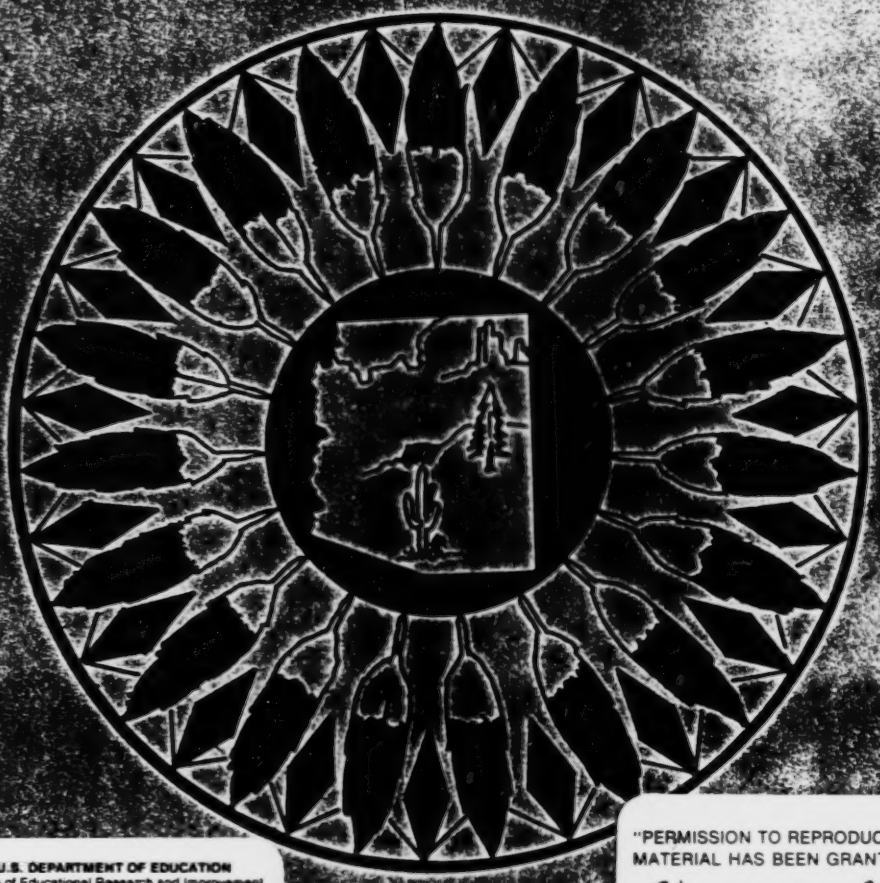

Of the

Arizona Commission of Indian Affairs

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The Honorable Bruce Babbitt
Governor of Arizona
West Wing - Capitol
Phoenix, Arizona 85007

Dear Governor Babbitt:

It is with pleasure that I submit to you the Arizona Commission of Indian Affairs 1984-1985 Annual Report. This report is responsive to the provisions of Article 4, Title 41-542 of the Arizona Revised Statutes.

The Annual Report is designed to provide insight as to Commission activities through enhancing the readers knowledge.

The reader should be cognizant of the major issue facing the Indian citizens as well as the State of Arizona. The issue referred to is "State - Tribal Relationships," and has been addressed further in the report.

Due to time constraints, it was necessary to omit the Reservation Profile, however, plans are now underway to update and summarize the profiles of the previous Annual Reports. This profile composite should be available in the near future.

The Commission has been engrossed in its Sunset Review Audit process and in response to same has developed and submitted to the Joint Committee of Reference a complete legislative package to strengthen and improve the Commission's overall program. (Appendix #1).

With your support, the Commission will continue to encourage cooperation between tribal and governmental entities whereby understanding and beneficial working relationships may be developed.

Respectfully submitted,

ELLIOTT BOOTH - CHAIRMAN

CLINTON M. PATTEA,
Executive Secretary

CMP/dd
September, 1985

F O R E W O R D

The Arizona Commission of Indian Affairs was established by the Arizona Legislature in 1953 and is operative under Arizona Revised Statutes Article 4, Titles 41-541 and 41-542 as amended July 15, 1964 and April 17, 1974.

A very important area of our responsibility has been to improve communications, understanding and working relationships between all concerned and we have diligently worked towards that objective.

This fiscal year, the Commissioners and staff have heavily been engrossed in the Sunset Review process whereby the continuation of the Commission as a separate state entity is in question, as the Auditor General has recommended that the Commission be abolished and made a part of the Governor's Office.

The issue has been addressed by tribal leaders, elected officials and others with an overwhelming recommendation to keep the Commission of Indian Affairs as a separate state entity with restructuring to improve services to tribes, state government departments, executive and legislative branches.

Hearings will be scheduled this fall before the Joint Legislative Committee of Reference, whose responsibility it will be to decide the future of the Commission.

The Commissioners have taken an active role in implementing increased services and have submitted a complete legislative package to the Committee of Reference for their consideration.

Commissioners and tribal leaders have worked together in developing the above mentioned legislative package encompassing proposed legislation, program responsibilities, budget and staffing requirements mandating additional services.

The Commission of Indian Affairs wishes to acknowledge the many individuals and elected officials in all levels of government both tribal and state for contributing their time and effort in developing a total package in response to recommendations made by tribal leaders and others at the Spring Meetings held by the Commission.

TABLE OF CONTENTS

Letter of Transmittal---------- 1

Foreword---------- 2

Table of Contents---------- 3

Commission Membership---------- 4

Map---------- 5

Population & Acreage of Arizona Reservations---------- 6

Meetings---------- 7

Sampling of Projects Completed---------- 7 - 8

Commission Highlights---------- 9 - 14

Financial Report---------- 14

Appendices:

#1 Proposed Commission Legislative Package------ 15 - 26

#2 Indian Inmates Resolution---------- 27 - 28

#3 Imitation Indian Arts & Crafts Resolution---- 29

#4 Education Sub-Committee Resolution---------- 30

COMMISSION MEMBERSHIP

INDIAN MEMBERS

ELLIOTT BOOTH, CHAIRMAN----------COLORADO RIVER

DAVID G. RAMIREZ, VICE-CHAIRMAN----------PASCUA YAQUI

DORIS HONANIE----------HOPI

FRANCES TOTSONI----------NAVAJO

VERA BROWN STARR----------YAVAPAI-APACHE

EDGAR WALEMA----------HUALAPAI

LAFE ALTAHA----------WHITE MOUNTAIN APACHE

NON-INDIAN MEMBERS-AT-LARGE

PAUL G. REES, JR.----------TUCSON

MAURICE SCHLOSSBERG----------TUCSON

EX-OFFICIO MEMBERS

BRUCE BABBITT----------GOVERNOR

BOB CORBIN----------ATTORNEY GENERAL

CAROLYN WARNER----------SUPT. OF PUBLIC INSTRUCTION

LLOYD NOVICK----------DIRECTOR, STATE DEPT. OF HEALTH SERVICES

* *

COMMISSION STAFF

CLINTON M. PATTEA----------EXECUTIVE SECRETARY
TONY MACHUKAY----------FIELD COORDINATOR
DIANE C. DANKERL----------ADMINISTRATIVE ASSISTANT
ROSE ANN STELLHORN----------SECRETARY

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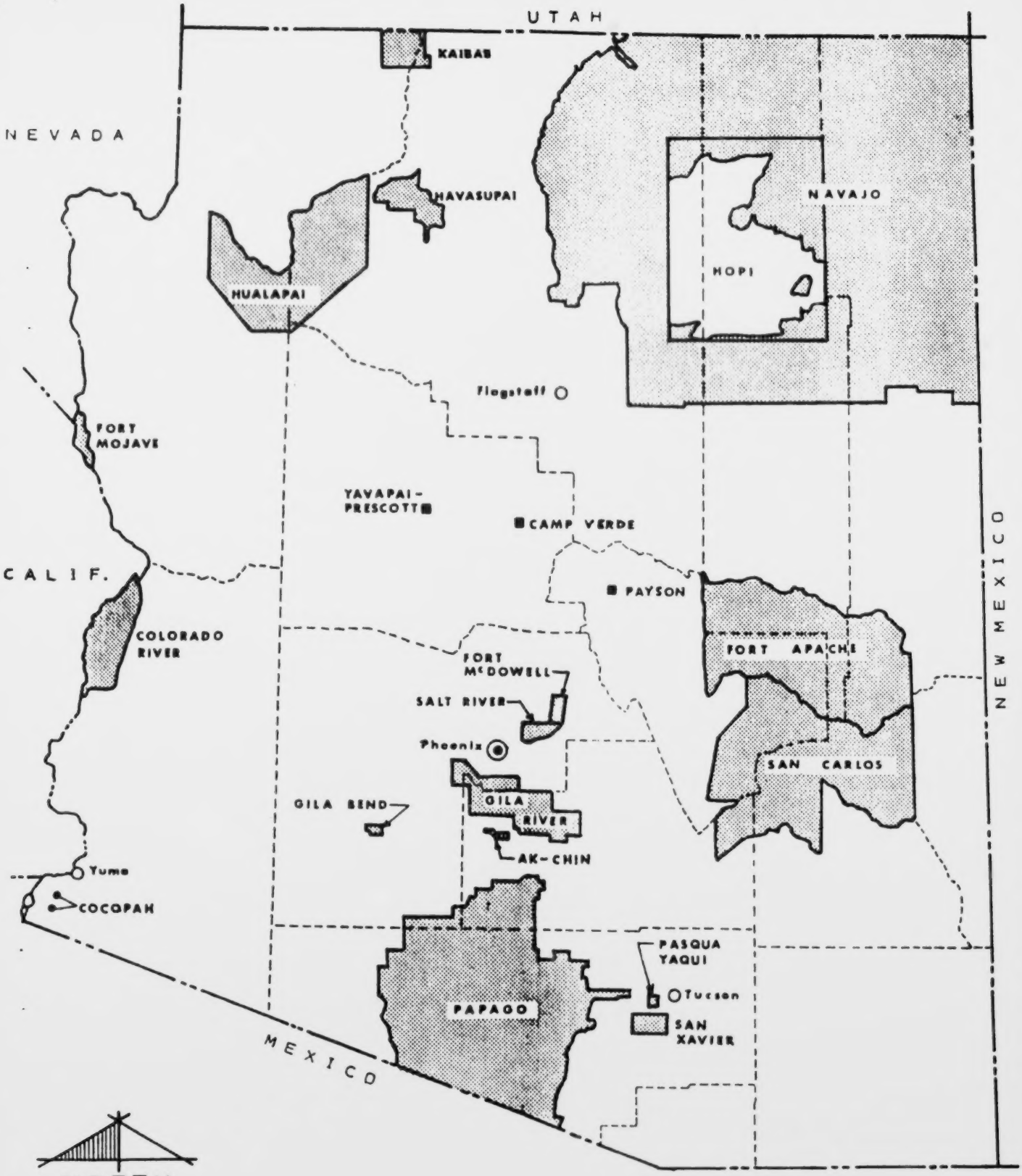

ARIZONA INDIAN RESERVATIONS MAP

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POPULATION AND ACREAGE OF ARIZONA RESERVATIONS

RESERVATION	CLASSIFICATION	ENROLLED POPULATION	ACREAGE
AK-CHIN	Papago-Pima	495	21,840
CAMP VERDE	Yavapai-Apache	1,100	653
COCOPAH	Cocopah	800	6,009
COLORADO RIVER	Mohave-Chemehuevi	2,707	225,995
FORT APACHE	Apache	8,841	1,664,972
FORT MCDOWELL	Yavapai	600	24,680
FORT MOJAVE	Mojave	788	32,679 *
FORT YUMA	Quechan	2,182	43,561 **
GILA RIVER	Pima-Maricopa	11,000	371,933
HAVASUPAI	Havasupai	533	188,077
HOPI	Hopi	5,063	1,561,213
HUALAPAI	Hualapai	1,375	992,463
KAIBAB-PAIUTE	Paiute	250	120,413
NAVAJO	Navajo	172,020	14,775,068 ***
PAPAGO	Papago	17,686	2,855,989
PASCUA-YAQUI	Pascua-Yaqui	5,824	892
SALT RIVER	Pima-Maricopa	4,143	49,293
SAN CARLOS	Apache	9,000	1,826,541
TONTO-APACHE	Tonto-Apache	70	85
YAVAPAI-PRESCOTT	Yavapai	110	1,399
	TOTALS	244,587	24,763,755

* Includes Arizona, California and Nevada
** Includes Arizona and California
*** Includes Arizona, Utah and New Mexico

These figures were obtained from the Tribes and/or Bureau of Indian Affairs.

COMMISSION MEETINGS

The following meetings were held during the fiscal year, however, due to budgetary limitations an Indian Town Hall Conference was not scheduled:

(1984)

November 16, 1984 — Regular Commission Business Meeting.

(1985)

January 3-4, 1985 — Regular Commission Business Meeting (Sunset Review Audit Report)

March 28-29, 1985 — Spring Commission Meetings (Sunset Review Audit Report - Tribal Leaders and others gave testimony relative to Commission)

PROJECTS COMPLETED

The Projects below are a sampling of activities the Commission's Office was involved in:

- State Indian Commissions - Exchange of Information
  Summary: The Commission office contacted all Indian Commissions and initiated an exchange of information and materials. This communication linkage has been very beneficial.

- San Carlos Apache Tribe - Sales Tax
  Summary: An Indian entrepreneur requested assistance in clarifying the sales tax issue on butane gas being delivered and sold on the reservation; contacted the Arizona Department of Revenue and the issue was resolved.

- San Carlos Apache Tribe - Sue Schnebly
  Summary: Upon request, we furnished information relative to teaching on the reservation along with demographic, cultural, political, employment and health data.

- Native American Indian Day Recognition Ceremony
  Summary: On September 28, 1984, the Commission Office was in charge of the events held at the Wesley Bolin Memorial Plaza in recognition of Native American Week "Focus On Indian Youth." The program comprised of: Demonstrations by basket weavers and kachina carver; Proclamation; a Tribal official spoke; Phoenix Intertribal Queen; Indian Baby World Contest along with Indian food and music. This was done in cooperation with the sponsoring agency - Phoenix Indian Center, Inc.

- Navajo Intergovernmental Relations Committee
  Summary: The Commission's Office was asked to arrange meetings between the Navajo officials and the Senate and House legislative leaders to discuss mutual concerns relative to a statement of policy. This was done, with the Executive Secretary participating.

- Colorado River Indian Tribes - Personnel Manual
  Summary: At the request of the tribe, the Commission's staff developed and drafted a complete Personnel Manual for their review and consideration.

- Representative Daniel Peaches - Hualapai Tribe
  Summary: We arranged for Representative Peaches to meet with tribal officials and then were requested to ascertain what services were available to the Tribe through the various state agencies in the area of economic development - tourism and outdoor recreation. Contacts were made and the information relayed to the Tribe.

- Arizona Correctional Institutions - Indian Inmates
  Summary: Mr. Len Foster, Navajo Correctional Project Coordinator, Tucson Indian Center and others were invited to an afternoon session of a Commission Meeting wherein officials were available to discuss concerns involving Indian inmates. (Appendix #2 Resolution relative to same).

- Arizona State Department Heads
  Summary: Letters, Tribal Directory and other materials were sent to State department heads with the offer to provide technical assistance and to cooperate with officials in working with the tribal autonomies.

- Johnson O'Malley Funding
  Summary: Letters were directed to Arizona's Washington Delegation and others involved in the federal budgetary process urging their support and consideration to the reinstatement and continuance of this important program. The Johnson O'Malley Program funding was restored.

- Indian Veterans Benefits
  Summary: This concern was expressed at the Commission's Spring Meetings and contacts have been made and a meeting will be scheduled to discuss the matter of benefits available to veterans living on-reservations.

- Meeting - Tribal Leaders/Legislators/Commission
  Summary: At the request of tribal leaders an informal get together will be arranged between tribal leaders/legislators and the Commission to discuss concerns of mutual interest. If this type of informal meeting is desired, the Commission will sponsor such get togethers on a regular basis.

- Study - Indians Impact On Arizona's Economy
  Summary: In response to tribal concerns, the Commission is working with Dr. John Hall, Director, Public Affairs Program, Arizona State University to develop and research this area of interest. Budgetary matters such as funding sources, time frame and work (field and the collection of data) will be discussed and developed.

- White Mountain Apache Tribe - Department of Public Safety
  Summary: Commissioner Altaha requested the Commission to sponsor a meeting between their tribal officials and the Department of Public Safety and Arizona Department of Transportation to discuss a sensitive matter involving traffic control. The meeting was held and the concern addressed. An exchange of dialogue/communications has developed.

COMMISSION HIGHLIGHTS

COMMISSION APPOINTMENTS

In January, 1984, the terms of Mr. Burdette Morago (Gila River) and Mr. Leroy Lewis, Sr. (Salt River) expired along with Non-Indian Member-at Large Ms. Yvonne L. Garrett (Phoenix), however, members do serve until their successors are appointed and qualifies.

Those tribes with members going off and those not having current representation on the Commission are contacted and asked to submit names for the Governor to consider. Names and resumes are then submitted to the Governor for review and consideration.

December, 1984, Mr. Lafe Altaha (White Mountain Apache) was appointed to succeed Mr. Morago; Mr. Edgar Walema (Hualapai) succeeds Mr. Lewis and Mrs. Doris Honanie (Hopi) was appointed to fill the unexpired term of Mr. Raymond Coin (Hopi). Mr. Maurice Schlossberg (Tucson) was appointed to replace Ms. Yvonne Garrett.

January, 1985, the terms of Mr. Elliott Booth (Colorado River); Mrs. Vera Brown Starr (Yavapai-Apache) and Mr. David Ramirez (Pascua Yaqui) expired.

At the close of this fiscal year, appointments were pending.

FORMER COMMISSIONER MRS. VERA BROWN STARR

The unexpected passing of Vera, a beloved mother, wife and Indian leader was a tremendous loss.

Mrs. Starr was an Indian leader whose persistance and dedication to improving the way of life of her people led her to become a tribal chairperson as well as appointed by Governor Babbitt to the Commission of Indian Affairs.

Vera will always be remembered for her many accomplishments as well as dedication to her ideals.

Commissioner Starr touched and enhanced the lives as well as the hearts of many, both Indian and non-Indian.

May the Giver of Life be with Vera wherever she may be.

MAJOR ISSUE IDENTIFIED BY THE COMMISSION

In recent years, Governor Babbitt and the legislative leadership has requested each agency to identify what they feel is a major issue to be addressed either through legislation and/or budgetary process.

The following is the issue identified by the Commission, however, to address and develop a statewide Indian policy would require adequate funding primarily in the area of State - Travel.

The reader should be cognizant of the fact, that this issue has been identified by the Commission in the past, however, it remains an important topic.

Statement Of Issue: State-Tribal Relationships are (a) affected by numerous court decisions ranging from tribal water, hunting and fishing rights to legislation and the regulation of bingo; and (b) federal policies strongly upholding tribal self-government and jurisdiction and the need for negotiations to alleviate the problems.

Background: Within the past several years, the U. S. Supreme Court has handed down several significant decisions favoring Indian tribes with respect to state autonomy. For example, the high court ruled on June 13, 1983 that New Mexico may not apply its hunting and fishing laws to non-Indians on an Indian reservation, which decision would also apply to Arizona Indian tribes. More recently, non-Indian business owners failed in their attempt to overturn the Quinalt Tribe's proposal to impose a business license fee and tax a business located within the reservation when the Supreme Court during the last week in May, refused to review the case decided by the U. S. 9th Circuit Court of Appeals. Presently, Congress is considering legislation regulating bingo games on Indian lands. On July 1, 1983, the U. S. Supreme Court held that the State of California may prevent a BIA-licensed Indian trader from selling liquor on an Indian reservation. And, last month the 9th Circuit Court of Appeals ruled that the Navajo Tribe does not need Interior Secretary approval to tax mining companies holding leases on reservation lands. The question arises out of such decisions on policies initiated by the Reagan Administration is, how can the State and tribes work cooperatively in facilitating the wide implications of these court rulings for the benefit of all Arizona citizens?

Fiscal Impact: The potential for negotiating State-Tribal problems in a neighborly fashion between the parties concerned far outweighs costly litigation financed by the taxpayers.

Social, Environmental and Economic Impact: The impact on social, environmental and economic considerations would hardly be noticable at first but would continue toward positive trends as projected in negotiations between the Papago Tribe, City of Tucson, State of Arizona and the Secretary of Interior to settle water rights in the Tucson area.

Available Options: (a) Develop and articulate a statewide Indian policy statement consonant with federal policies and tribal goals. Through the Commission of Indian Affairs acting in the capacity of liaison, policy formulation can evolve with the input of both tribal and state officials; (b) encourage representatives of both the legislative and executive branches of government to involve the Indian tribes as much as possible in negotiations on the drafting of legislation which may affect Indian tribes directly or indirectly or when state agency regulations are being prepared; the utilization of the Indian Affairs Commission would be most effective in generating and facilitating tribal involvement; (c) provide regular

seminars for state agency officials on important aspects of federal law (Indian), tribal culture and history. The advantage to developing an Indian policy statement, creating closer links with the tribes and educating state officials is that such relationships inevitably lead to mutual understanding and respect among all concerned. The disadvantage in carrying out these recommendations is that such effects are often perpetual political problems with no immediate solutions.

Recommendation: In addressing these issues, the most feasible option of the three available would be that of developing an Indian policy statement involving Indian tribes and state officials. This option would be the most cost-effective to the state since only the present Commission staff would be employed to assist in stimulating tribal interest in such a joint venture.

IMITATION INDIAN ARTS AND CRAFTS

The flooding of the market with imitation Indian arts and crafts was brought to the Commissioners attention by Mr. Raymond Smith, General Manager, Navajo Arts and Crafts Enterprise.

Following a presentation by Mr. Smith, the Commission passed a Resolution (Appendix #3) encouraging Arizona's Washington Delegation and others to support the amendment of the 1930 Tariff Act whereby "imported imitation Indian arts and crafts would be permanently marked with country and place of origin." Questionable advertising involving Indian arts and crafts was referred to Arizona's Attorney General for his consideration and possible investigation.

This project will be followed closely.

EDUCATION SUB-COMMITTEE

Members serving on the Commission's Education Sub-Committee are: Mr. Albert Joseph (Gila River); Mr. Gordon Krutz (University of Arizona); Mr. Albert Sinquah (Hopi); Mr. Franklin McCabe (Colorado River); Mr. Bernard Sequieros (Papago); Mr. Pete Soto (BIA); Ms. Katie Stevens (Education Dept.); Chairman Elliott Booth and Tony Machukay (Commission Field Coordinator).

During the March 29, 1985 Commission Meeting, a Resolution was passed (Appendix #4), assigning the task of determining if Arizona Indian history including sections on tribal government is fairly represented in the curriculum of the public school system and to find out whether teachers who plan to teach on Indian reservations are required to take Indian history studies in order to graduate and become certified.

The State Board of Teacher Certification was contacted and material sent to us indicated that teachers are not required to complete an Indian studies course in their teacher training curriculum.

At the last Sub-Committee meeting held July 10th, a concensus emerged that there needs to be a lead agency to coordinate all the

different agencies and/or Indian organizations presently working on various areas of Indian education and that Arizona's history texts are definitely lacking adequate information on Arizona's tribal autonomies.

A suggestion has been expressed that perhaps the Commission's Education Sub-Committee might want to cooperate with the Tucson Unified School District in submitting a proposal to get funding to perform a study on the subject of textbooks.

The Education Sub-Committee's goals and objectives are again being reviewed by the Commission due to the lack of participation on this voluntary committee.

GILA RIVER - LITTLE LEAGUE BASEBALL ORGANIZED

At the request of the Gila River Tribe, the Commission's office developed and assisted in organizing the "Gila River Indian Community Youth League."

Pertinent data was collected, contacts made; proposed rules drafted; schedules and regulations along with other information was provided along with a series of meetings held in early Spring with coaches, managers and parents relative to the organization's structure.

The Gila River Indian Community Youth League was formed, officers elected and Little League, Inc. playing rules and regulations relevant to the Indian communities were approved by the nine team representatives involved. As a result, between 100 and 125 Indian youths ages 8 through 12 participated in 36 League-scheduled games played on weekends.

Team representatives are hopeful the League will expand to include other baseball age groups such as "Pee-Wees" and/or "Senior League" type teams.

This is an ongoing project.

RESERVATION TOURISTS - FEES/PERMITS

The Commission attempted to compile information relative to various permits and/or fees that are charged on the different reservations, however, due to insufficient tribal responses we were unable to compile the needed data.

This was being done in response to hundreds of inquiries relative to tourists visiting the reservations wanting information on hunting, camping, fishing, hiking, etc..

This study may again be undertaken at a later date.

COMMISSION'S SUNSET AUDIT REVIEW REPORT

Pursuant to ARS 41-2352 et. seq., the Commission underwent the

Sunset Review Audit conducted by a team from the Arizona Auditor General's Office.

The Commission's January, 1985, meetings were devoted to responding to the Auditor General's conclusions relative to the Commission being abolished and made a part of the Governor's Office due to lack of visibility, funding and the ability to address major issues, however, the Commissioners were unsuccessful in having the conclusions reversed.

The Spring Meeting held March 28-29, 1985 was a hearing where tribal officials, elected and other dignitaries were invited to give testimony as to how they felt the Commission could and should be improved and whether or not they wanted the agency to become a division of the Governor's Office.

The testimony was overwhelming against the Commission of Indian Affairs being abolished and made a part of the Governor's Office and suggested areas where improvement in services should be addressed in plans to reorganize the Commission's responsibilities and powers.

Chairman Elliott Booth appointed a Program Planning Ad Hoc Committee composed of Commissioners Doris Honanie, Frances Totsoni, Pat Schroeder and Maurice Schlossberg to address the various concerns expressed by those officials giving testimony the previous day and develop a proposed package for the Commission and tribal leaders to review and consider.

The Ad Hoc Committee met and developed a proposal package which was approved by the Commission and sent to the tribes for their input and recommendations. The final legislative package was put together comprising the various sections such as: Enabling legislation revised, General Program Responsibilities expanded; Staffing and Duties revised accordingly; Internal Restructuring of the Commission; Program Plans and a time schedule developed. (See Appendix #1 for details).

The final product of the legislative package was submitted to the Joint Legislative Sunset Committee of Referenee chaired by the Honorable Representative Jane Hull for their consideration.

Several legislators were approached and volunteered to sponsor said legislation restructuring and strengthening the Commission, however, we were advised that only the Joint Committee of Reference has the authority to initiate the legislation relative to the Commission and this will take place following the last hearing scheduled for fall prior to the regular session.

Much of the Commission's time and energies have been devoted to responding and addressing the various aspects of the Sunset Review process.

The Commissioners and staff are grateful to all those that assisted the Commission with their expertise and time as well as those Commissioners that served on the volunteer Ad Hoc Planning Committee.

PUBLICATIONS

All the publications listed below are available upon request from the Commission office.

Annual Report: This publication is in accordance to state statutes requiring all state agencies to report activities and expenditures.

Capitol Drumbeat Newsletter: The Newsletter is a periodical published on a monthly basis and contains information relative to legislation affecting the tribes as well as other pertinent news.

Arizona Reservations' In Brevity Brochure: This tri-fold brochure gives a thumbnail description of the reservations along with addresses and map indicating location. This is published through the courtesy of the Arizona Office of Tourism.

Communications: Overcoming Barriers and Limitations: This is a report of the 10th Indian Town Hall which was hosted by the Gila River Indian Community, however, due to the time necessitated with the Sunset Review Audit there was a delay in publishing this report. Topics covered in the four sessions were: 1) Health - Arizona Health Care Cost Containment System (AHCCCS) Eligibility; 2) Economic Development - Reservation Resources - Taxation; 3) Tourism and 4) Education Financing.

Activities Update: This news brief is sent on a regular basis to tribal officials, Commissioners and others keeping everyone abreast of Commission activities.

Tribal Directory: This resource document has been referred to as the "Indian Bible" to those actively involved in the area of Indian affairs as it is the only complete listing of reservation officials and includes names and addresses of those agencies and/or organizations working with the tribal autonomies, as well as demographic and information relative to ceremonials.

We have many unsolicited comments relative to the usefulness of this communications document on file in the Commission office.

FINANCIAL REPORT

Total Appropriation	$136,600.00
Expenditures	-134,477.51
Total Reversion	$ 2,122.49

	APPROPRIATION	EXPENDITURES	REVERSION
PERSONAL SERVICES	$ 99,000.00	$ 98,941.79	$ 58.21
EMPLOYEE RELATED EXPENDITURES	23,200.00	21,001.72	2,198.28
TRAVEL - STATE	3,600.00	6,254.76	(2,654.76)
OTHER OPERATING EXPENDITURES	10,800.00	8,279.24	2,520.76
Totals	$136,600.00	$134,477.51	$2,122.49

(NOTE: Underlining represent new language)

ARIZONA COMMISSION OF INDIAN AFFAIRS

PROPOSED LEGISLATION

The Commission is presently operative under ARS 41-541 and 41-542 as amended 7/15/64 and 4/17/74.

INDIAN AFFAIRS COMMISSION

Be it enacted by the Legislature of the State of Arizona:

_____COMMISSION OF INDIAN AFFAIRS; MEMBERS; OFFICERS; VOTING; MEETINGS; COMPENSATION.

A. The Arizona Commission of Indian Affairs shall consist of the Governor, the Superintendent of Public Instruction, the Director of the Department of Health Services, the Attorney General, the Director of the Department of Transportation, and the Director of the Department of Economic Security, who shall be Ex-Officio Members, and nine members appointed by the Governor, two at large who shall be non-Indian, and seven from among the Indian tribes. Each tribe or tribal council may submit the names of not to exceed two members of its tribe, and from the names so submitted, the Governor shall appoint the seven Indian members.

B. The term of office of each appointive member shall be three years. The terms of three appointive members shall expire on the first Monday in January each year. Each member shall hold office until his successor is appointed and qualifies. Appointment to fill a vacancy caused otherwise than by expiration of a term shall be for the unexpired portion thereof.

C. Members of the Commission serving by virtue of their office shall serve without compensation. Appointed members shall receive compensation as determined pursuant to Section 38-611 for each day of attendance upon meetings.

D. The Commission shall elect a Chairman and a Vice-Chairman, who shall be appointive members, and adopt rules and regulations for the conduct of meetings. A record shall be kept of all proceedings and transactions.

E. The Commission shall meet at least quarterly each year on the second thursday of the first month of each quarter and may hold additional meetings upon the call of the Chairman. A majority of the appointed members of the Commission shall constitute a quorum for the transaction of business, but ex-officio members may vote. Members who fail to attend three consecutive meetings shall be deemed to have resigned but the Commission may for good cause grant leaves of absence to its members.

F. The Commission may apply for, accept, receive and expend public and private gifts or grants of money or property upon such terms and conditions as may be imposed by the donor and for implementation of the Commission's internal operations.

POWERS AND DUTIES; STUDIES AND HEARINGS; COOPERATION BETWEEN FEDERAL STATE AND LOCAL AGENCIES; REPORTS.

A. Powers and Duties: The Commission shall have the power to assist and to mobilize the support of state and federal agencies in assisting Indian members and tribal councils in Arizona as they seek to develop their own goals, design projects for achieving those goals, and implement their plans. The Commission's duties shall be:

1. *To investigate any phase of Indian Affairs and to assemble and make available the facts needed by tribal, state, and federal agencies to work effectively together;*

2. *To assist the state in carrying out its responsibilities to the Indian citizens and tribes of Arizona by making recommendations to the Governor and to the Legislature for needed improvements and additional resources;*

3. *To confer with and coordinate with officials and agencies of other governmental units and legislative committees with regard to Indian needs and goals;*

4. *To work for greater understanding and improved relationships between Indians and non-Indians by creating an awareness of the legal, social, and economic needs of Indian people in Arizona;*

5. *To promote increased participation by Indian citizens in local and state affairs; and*

6. *To assist tribal groups in developing increasingly effective methods of self-government and financial security.*

B. Public Officials to Cooperate: All public officers, both state and local, shall upon request furnish the Commission such available information as it may require for its purposes.

C. Report and Recommendations: The Commission shall make a written annual report, giving an account of its proceedings, transactions, findings, and recommendations to the Governor and the Legislature, and may submit such recommendations to the Legislative assembly in the form of proposed legislation or resolutions.

D. Employees, Duties, Compensation: The Commission may employ an executive director who shall not be a member of the Commission and such other clerical, professional technical personnel, as it deems necessary, and shall prescribe their duties and fix their compensation.

E. Limitations: The Commission may initiate or assist programs on a reservation only upon the request of or with the approval of the tribal council for such reservation.

GENERAL PROVISIONS

DEFINITIONS

1. Wherever, in these Rules and Regulations, the term "Member", "membership" or "Commission" is used, such term shall include the Ex-Officio members as well as the appointed members of the Arizona Commission of Indian Affairs.

OFFICIAL MEETINGS

2. All official meetings at which any legal action is taken by the Commission shall be public meetings, and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings.

3. There shall be two official meetings each year; one shall be held as soon after the commencement of the calendar year as the new appointments are made and the other at the convenience of the Commissio

4. Any other official meetings may be held upon the call of the Chairman who shall cause to be mailed to each member, at least one (1) week in advance, a written notice of such meeting and such notice shall state specifically the time, place, purpose and subject matter of such meeting.

CONDUCT OF OFFICIAL MEETINGS

5. At least one (1) week prior to each official meeting of the Commission, the Executive Director shall prepare a written agenda for the conduct of the business of such meeting and send a copy of same to each member.

6. A majority of the appointed members of the Commission shall constitute a quorum for the transaction of business.

7. In the transaction of the Commission's business, the Ex-Officio members may vote but their absence at a meeting will not affect the quorum.

8. The deputy or assistant of an Ex-Officio member may be appointed as an alternate to act in his stead.

EXECUTIVE SESSIONS

9. An Executive Session may be called only by a majority vote of the members of the Commission.

10. No ordinance, order, rule, resolution, regulation, contract, appointment or other official action shall be finally approved at such Executive Sessions.

COMMITTEES

11. The Chairman shall designate such committees as he deems necessary to effectuate the purposes of the Commission. Additional committees and professional consultants may be selected outside of the membership of the Commission.

MINUTES

12. The Executive Director of the Commission shall be responsible for the preparation of minutes of each of the official meetings of the Commission, the distribution of said minutes to the members and the preservation of said minutes as a permanent record. A draft of the minutes shall be distributed at least one week prior to the next meeting of the Commission members. All tribal chairmen, vice-chairmen, as well as Commission members, shall receive a copy of the approved minutes.

13. All minutes of each official meeting of the Commission shall be properly and accurately recorded and open to public inspection.

OFFICERS

14. A Chairman and a Vice-Chairman shall be elected by the members at the first meeting of each calendar year. In the event of a vacancy

or vacancies in either of said elective offices, the Chairman, Vice-Chairman, or, in the absence of both, a Commission member shall call a special election for the purpose of electing an officer to fill such vacancy or vacancies. One has the right to succeed himself in office.

ANNUAL REPORT

15. In accordance with ARS 41-542 the Commission shall prepare a written annual report giving an account of its proceedings, transactions, findings and recommendations to the Governor and the Legislature. The Annual Report shall also include an annual tribal evaluation survey relative to the Commission.

16. The annual report of the Commission shall be made within ninety (90) days after the close of each fiscal year.

17. Copies of said annual report shall be furnished to the Governor, the Secretary of State and the Department of Library and Archives and may be furnished to such other persons or agencies as the Commission may deem proper.

SPECIAL REPORTS

18. The Commission shall from time to time submit such other reports as deemed necessary pursuant to ARS 41-542 (B).

TRAVEL

19. No travel money shall be spent for other than Commission business.

FINANCES

20. The Executive Director of the Commission shall be designated as the financial officer of the Commission whose duty it shall be to oversee and approve the financial administration of the Commission's affairs.

21. It shall be the duty of the Chairman to secure the preparation and presentation of the proposed budget for the next ensuing fiscal year, which proposed budget shall be submitted to the Commission for approval.

22. The proposed budget shall be approved by the Commission and submitted to the proper state officials not later than September 1 of each year.

RESERVATION RELATIONSHIPS

23. Any matter the Commission enters into concerning reservation Indians will be carried on with the official tribal government and other constituted governmental bodies.

MISCELLANEOUS

24. No member shall express the views of the Commission unless authorized by same.

25. All letters written or information disseminated pertaining to the Commission shall be done by the Office of the Executive Director.

GENERAL PROGRAM RESPONSIBILITIES

1. MONITOR LEGISLATION AFFECTING INDIAN TRIBES

*Provide training in legislative relations.
*Prepare weekly newsletters on bills and committee assignments during the legislative session including analysis of the impacts of the legislation on Arizona Reservations.
*Attend all committee hearings on potential issues.
*Actively establish good relations with Legislators as a source of information on tribal issues.
*Identify tribal contacts for legislative matters and work closely with these individuals.
*Prepare an annual identification of Indian issues for the Governor and Legislature.
*Advise legislators on Indian issues.
*Monitor federal legislation and conduct hearings to prepar statements for presentation to Congress on common issues.

2. STATE AGENCY CONTACTS

*Conduct at least one seminar annually - Informative briefing and luncheon.
*Identify multi-agency advisory committees and become an active participant representing Indian interests.
*Actively seek out agency contacts and maintain supportive relations as a source of information.
*Be a broker for meetings between tribal representatives and state agency staff.
*Form an Interdepartmental Committee of Indian Affairs for exchange of information, sharing of problems and solutions and coordination of state policy.

3. STATE-TRIBAL RELATIONS

*Prepare an annual report of state issues involving Indian reservations for tribal governments.
*Conduct workshops on state policies and activities for appropriate tribal representatives. (i.e. veterans affairs)

*Prepare an annual directory of Tribal contacts and telephone numbers and state agency contacts and telephone numbers.
*Make available to state, tribal, and federal agencies all information necessary to work together effectively.
*Assess programs of state agencies operating for the benefit of Indian people and make recommendations to the appropriate agencies for improvement of programs.
*Provide cross-governmental training.

4. CREATE AND MAINTAIN DATABASE

*Actively collect all statistics on Arizona Reservations, work with the Department of Economic Security to include appropriate Indian statistics in state analysis.
*Prepare and disseminate reports, policy statements, analysis papers to appropriate state and tribal entities.

5. ON-RESERVATION SERVICE

*Provide training in governmental processes. (i.e. cost accountability)
*Provide research on requested topics for tribal governments.

OFFICE OF THE EXECUTIVE DIRECTOR

The Executive Director shall be the chief executive and administrative officer of the Commission and shall have charge of the administration of all Indian affairs authorized by the Commission and responsibility for complying with state statutes and regulations.

POWERS AND DUTIES

1. Direct the organization of the Commission, appoint, suspend and discharge, fix the duties of and prescribe rules and regulations for the conduct of employees subject to the approval of the Commission.

2. Make monthly written reports to the Commission of all expenditures by the Commission and all work accomplished under his direction, together with such other matters as he deems proper.

3. At least one (1) week prior to each official meeting of the Commission, prepare a written agenda for the conduct of the business of such meeting and send a copy of same to each member.

4. Be responsible for the preparation of minutes of each of the official meetings of the Commission, the distribution of said minutes to the members and others as prescribed by Rule___ of the General Provisions, and the preservation of said minutes as a permanent record.

5. Keep members informed of meetings and other Commission business as requested by Commission Chairman and Vice Chairman.

6. Prepare an annual report and include the annual tribal evaluation survey of the Commission as required by law and prescribed in Rules of the General Provision.

7. Prepare other reports as contemplated by Rule __ of the General Provisions.

8. Be the financial officer of the Commission and oversee and approve the financial administration of the Commission affairs.

9. Receive proposed budget from the Commission and submit the budget to the proper state officials not later than September 1 of each year.

10. In the matter of investigations, hearings, and conferences contemplated by Section _____ARS, the Executive Director shall:

a) Research facts on the subject(s) selected by the Program Committee for investigation and transmit reports to Commission members.

b) Organize hearings or meetings as needed with respect to the matters which are under investigation.

c) After investigations and hearings have been concluded and official recommendations made, report back to the members as to how the Commission's recommendations are being acted upon.

11. Keep abreast of developments in Indian affairs in the state and nation and furnish members of the Commission with all information.

12. Handle publicity, correspondence and public relations matters affecting the Commission.

13. At the Assignment of the Commission shall apply for, accept, receive, and expend public and private gifts or grants of money or property for implementation of the Commission's internal operations.

14. Exercise such other powers as are delegated by the Commission to carry on the work of the Commission, and perform such other duties as the Commission prescribes.

The Commission approved these staff positions being reevaluated and restructed to effectively fulfill the program responsibilities. It shall be the responsibility of the Executive Director to write appropriate position descriptions for the following staff:

FIELD COORDINATOR/LIAISON: This person would be responsible for the face-to-face contact with tribal representatives on a regular basis. The Executive Director shall meet with each tribal council at least once annually to report on Commission activities and receive tribal feedback. The field liaison, however, would be a direct contact with all levels of tribal personnel for the day-to-day issues and responsible for the collection of reservation based data, report preparation, tribal issues and relations with state government.

LEGISLATIVE/STATE AGENCY LIAISON: This person would be responsible for the face-to-face contact with legislators and state agency personnel. The Executive Director will be the official spokesperson for the Commission with state officials and legislators. The legislative/state agency liaison would be responsible for the collection of state level data, legislative and state agency analysis, report preparation, state issues and relations with tribal governments.

SECRETARY: This person would be responsible for the normal secretarial duties far too numerous to list in detail here.

DEPUTY DIRECTOR: This person will work at top management level-coordinating program planning and development between state and tribal governments. Expand Agency projects and programs; seek funding sources and develop proposals; compile pertinent tribal data for statistical reports; assist Executive Director in administering and coordinating all office activities.

INTERNAL RESTRUCTURING OF THE COMMISSION

PROGRAM COMMITTEE *(3 Members)*

*Identify issues for research and investigation or Commission action.
Throughout the year.
*Develop an annual work program for the Commission staff.
By the second quarterly meeting in April each year.
*Recommend the annual work program to the Commission for assignment to the staff.
At the second quarterly meeting in April each year.

BUDGET COMMITTEE *(3 Members)*

*Prepare cost analysis for the work program approved by the Commission.
After approval at April Quarterly meeting.
*Design budget and present to the full Commission for approval
By third Quarterly meeting in July each year.
*The Chair of this committee should attend legislative hearings on the Commission budget and speak for Commission needs.
During the Legislative session.
*Approve any unusual expenditures or anything not specified in the annual budget request.
Throughout the year.

The Commission is increasing its meetings from two to four per year due to the increased level of the Commission and the need to accomplish specified tasks on a regular basis for effective operation.

First Quarterly Meeting - Second Thursday of January
Election of Officers
Staff Evaluations
Committee Assignments

Second Quarterly Meeting - Second Thursday of April
Work Program recommendations by Program Committee

Third Quarterly Meeting - Second Thursday of July
Budget recommendations by Budget Committee

Fourth Quarterly Meeting - Second Thursday of October
Issue identification for Legislative Report

REVISED PROGRAM PLANS

1. Seek out funding for a Tax and Revenue Impact Study to be started by January 1, 1986.

2. Form an Interdepartmental Committee of Indian Affairs by August 1, 1985, and hold regular meetings.

3. Publish the Annual Report by September 30, 1985.

4. Publish the Tribal Directory by October 1, 1985.

5. Hold a seminar on Veterans Affairs for tribal and state employees during October, 1985.

6. Provide training in legislative process for tribal leaders and appropriate staff in early November, 1985.

7. Expand the Capitol Drumbeat to include analysis of the impact of each bill on Arizona Reservations, the progress or status, and publish weekly during the Legislative session.

8. Prepare monthly reports of work accomplished for the Commission members.

9. Provide technical assistance as identified by tribal officials through liaison or coordination with other state agencies.

10. *The Education Sub-Committee shall have a program for the current year of planning, 1985.*

TIMELINE FOR COMMISSION AND STAFF ACTIVITIES

	Ja	Fe	Mr	Ap	Ma	Ju	Jl	Ag	Se	Oc	No	De
Begin Budget cycle							x					
Proposed budget due for next year									x			
Legislative Session	x	x	x	x								
COMMISSION ACTIVITIES												
Meetings	x			x			x			x		
Election of officers	x											
Staff Evaluations										x		
Committee Assignments	x											
Work Program adoption				x								
Budget Adoption							x					
Issue identification for legislative report							x					
STAFF WORK PROGRAM												
Monthly Reports	86	86	86	86	86	86	x	x	x	x	x	x
Technical Assistance	86	86	86	86	86	86	x	x	x	x	x	x
Seek Out Funding for Tax Study and prepare necessary RFP etc.							x	x	x	x	x	x
Tax Study begins	86											
Form Interdepartmental Committee Of Indian Affairs								X				
and Hold regular meetings									x	x	x	x
	86	86	86	86	86	86						
Prepare Annual Report							x	x	x			
and publish									x			
Prepare Tribal Directory								x	x	x		
and publish										x		
Seminar on Veterans Affairs										x		
Seminar on legislative process											x	
Publish Capital Drumbeat	86	86	86	86								x

RESOLUTION

INDIAN INMATES

WHEREAS, the Arizona Commission of Indian Affairs at a hearing held on November 16, 1984 heard testimony from members of the clergy and individuals representing the issues and concerns of Indian inmates incarcerated in Arizona State penal institutions;

WHEREAS, the Commission concurs with the concept that the overall goal of a prison rehabilitation program for American Indians should be to return the inmate to become a productive, law-abiding member of the Indian community;

WHEREAS, the Commission believes that in order to facilitate this goal it is incumbent upon the State's correctional institutions to actively seek participation of Indian people to assist in the rehabilitation process of their fellow members;

WHEREAS, the 36th Arizona State Legislature in its second regular session enacted a bill recognizing the uniqueness of tribal culture and religion by allowing Indian medicine men to conduct religious services for Indian inmates in the State's prison system;

NOW THEREFORE, BE IT RESOLVED, that the Executive Secretary is hereby directed to send a letter on behalf of the Commission to the Governor's office acknowledging passage of legislation which provides for religious services by Indian medicine men and inquire as to how this State policy is being carried out;

BE IT FURTHER RESOLVED, that in recognition of the suggestions made by witnesses working directly with Indian inmates, the Commission of Indian Affairs hereby adopts the following agenda in response to the needs and concerns of the Indian inmate population:

(1) Recommend to the Department of Corrections that a full-time Indian Program Coordinator be hired to research, identify, and assist in implementing unmet spiritual, socio-cultural and educational needs in the rehabilitation of American Indians institutionalized under the State's jurisdiction; for such purposes, cooperate with the Department in seeking appropriation funds to carry out such a project similar to a State of New Mexico Indian correctional program already in operation.

(2) Pursuant to certain American Correctional Association standards, support the Department of Corrections in establishing a policy on religious counseling and guidance for Indians and regulations allowing Indian medicine men free access to any cell, cell block, unit, detention center or living accommodation wherever an Indian inmate is confined.

(3) Address the need for Native American-oriented counselors by suggesting to the Department of Corrections that it include in its budget, provisions for the hiring of such counselors for each State prison facility, with the stipulation that the counselors be knowledgeable and understanding of Indian culture and its purpose in the rehabilitation process of Indian inmates.

(4) Assist in mobilizing inter-tribal support, involvement, and commitment at the State level in advocating for an Indian appointee to the Arizona State Parole Board.

(5) Assist in pursueing the resources necessary to conduct a study on: (a) the population of Indian offenders confined in penal institutions located throughout the State; (b) assessment of the needs of Indian inmates, and (c) current prison policies and regulations which may be discriminatory and counterproductive to professionally-accepted standards in the treatment of inmates.

(6) Promote the development and implementation of workshops at training sites for Department of Corrections personnel and officials designed to generate awareness and sensitivity to the unique cultural values, tribal traditions, and religious practices by which inmates/ members of various tribes have historically been guided.

BE IT FURTHER RESOLVED, that the Executive Secretary be directed to make known the position of the Commission of Indian Affairs in matters related to State correctional policies affecting Indian inmates by distributing as widely as practical, copies of this resolution to individuals, groups or organizations interested in and supportive of upgrading the State's prison system.

CERTIFICATION

I, hereby certify that at a duly called Commission of Indian Affairs Meeting held November 16, 1984 in Phoenix, Arizona, I was instructed to draft the foregoing Resolution by a vote of 5 for 0 opposed.

CLINTON M. PATTEA, EXECUTIVE SECRETARY

RESOLUTION 1985 #2

IMITATION INDIAN ARTS & CRAFTS

WHEREAS, testimony from the Board Chairman of the Arizona American Indian craftspeople and Retailers/Dealers Coalition on March 29, 1985, at a Commission of Indian Affairs Meeting, has revealed the financial threat of recent increases in the sale of foreign-made, imitation Indian arts and crafts to all Native American craftspeople;

WHEREAS, the Commission of Indian Affairs believes that such imports dimishes the true value of native handcrafted goods, causes indignity to tribal craftsmen and their families, affects the economy of the various tribes and in general, jeopardizes the tourist trade;

WHEREAS, current Congressional and State legislation have been found to be ineffective in preventing or discontinuing false representation practices of traders in failing to label imported items as imitations of authentic American Indian-made products;

WHEREAS, as part of its legislated mandate, the Commission is empowered to study conditions among Indians and confer with and secure cooperation of federal and state governments in order to promote the welfare of Indian people;

NOW, THEREFORE, BE IT RESOLVED that the Arizona Commission of Indian Affairs strongly opposes the counterfeiting of imported handcrafted items alleged to be U. S. made, native arts and crafts and supports the American Indian Craftspeople and Retailers/Dealers Coalition in its endeavor to correct this unjust situation;

BE IT FURTHER RESOLVED that the Commission wishes to make its position known in this state of affairs and directs the Executive Secretary to see to it that related correspondence on the Commission's position be sent not only to the Arizona tribes and Congressional Delegation, but also to New Mexico Congressmen and appropriate Federal and State Officials;

BE IT FURTHER RESOLVED that such correspondence include recommendations to the U. S. Congress and State Legislatures for the amendment to the Tariff Act of 1930 and revision of present state statutes, by prescribing standards for the proper registration and labeling of foreign-made imitations of genuine Indian arts and crafts items.

CERTIFICATION

I hereby certify that at a duly called Commission of Indian Affairs Meeting held March 29, 1985, in Phoenix, Arizona, I was instructed to draft the foregoing Resolution by a vote of 9 for and 0 opposed.

CLINTON M. PATTEA, EXECUTIVE SECRETARY

RESOLUTION: 1985 #1

EDUCATION SUB-COMMITTEE

WHEREAS, the Commission of Indian Affairs has established a Sub-Committee to examine and identify Indian educational needs and concerns which may be of interest and benefit to Arizona Indian Tribes;

WHEREAS, the Commission has decided from suggestions made by members of the Education Sub-Committee that an inquiry should be made to: (a) determine if Arizona Indian history including sections on tribal governments is fairly represented in the curriculum of the public school system, and (b) gather information from the Colleges of Education and related State agencies on the content of teacher education curricula in order to evaluate the extent to which undergraduate Indian educators are required to take special training in an Indian studies program for certification as a teacher;

NOW, THEREFORE, BE IT RESOLVED, that all available means be taken by the Education Sub-Committee to seek and provide data necessary to accomplish the foregoing objectives and report its findings with recommendations to the Commission at the next Commission meeting;

BE IT FURTHER RESOLVED, that the Commission staff is hereby directed to assist the Education Sub-Committee study in whatever way it can with the available resources at its disposal.

CERTIFICATION

I hereby certify that at a duly called Commission of Indian Affairs Meeting held March 29, 1985, in Phoenix, Arizona, I was instructed to draft the foregoing Resolution by a vote of 9 for 0 opposed.

Clinton M. Pattea

CLINTON M. PATTEA, EXECUTIVE SECRETARY

- 30 -